

2023:PHHC:083135

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-8131-2023

Date of decision : 03.07.2023

Krishan Singh

..... Petitioner

versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. D.S. Virk, Advocate
for the petitioner.

Mr. Ashok Kumar Sehrawat, DAG, Haryana.

PANKAJ JAIN, J. (Oral)

While issuing notice of motion, following order was
passed:-

“The petitioner is seeking anticipatory bail in the case bearing FIR No.07 dated 31.01.2023 under Section 15(b) of the NDPS Act registered at Police Station Rori, District Sirsa.

Status report by way of affidavit of Jai Bhagwan, Deputy Superintendent of Police, Sirsa has been placed on record on behalf of the respondent-State.

Briefly, as per the allegations, 21.05 Kgs of poppy husk has been recovered from Bhola Singh and Parshan Singh, co-accused. The petitioner has been nominated on the basis of disclosure statement of the co-accused and is not involved in any other case. It has been further submitted that in CRM-M-55539-2022 titled as Vijay Singh Vs. State of Haryana, the petition under Section 438 Cr.P.C. was dismissed by the Co-ordinate Bench of this Court by placing reliance upon State of Haryana Vs.

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Samarth Kumar, 2022(3) RCR (Crl.) 991 (Supreme Court). However, in a petition for Special Leave to Appeal (Criminal) No. 1266 of 2023 wherein the aforesaid order has been assailed, directions have been issued that no coercive steps be taken against the petitioner in terms of the order dated 03.02.2023.

Adjourned to 03.07.2023.

In the meanwhile, the petitioner is directed to join investigation and in the event of his arrest, he shall be released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer subject to the conditions as envisaged under Section 438 (2) of Code of Criminal Procedure.”

- 2. Today, learned State counsel has stated that pursuant to the order dated 29.03.2023, the petitioner has joined investigation and is no longer required for custodial interrogation.
- 3. In view of above, the interim order dated 29.03.2023 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.
- 4. Petition stands disposed off.

(PANKAJ JAIN)
JUDGE

03.07.2023
Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No